

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Olga Bentin	Team: Squad #4	CCRB Case #: 201900146	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 01/05/2019 10:10 PM	Location of Incident: [REDACTED]	Precinct: 75	18 Mo. SOL 7/5/2020	EO SOL 2/19/2021	
Date/Time CV Reported Mon, 01/07/2019 9:17 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 01/07/2019 9:17 AM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. SGT Adnan Radoncic	01316	930995	075 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Joseph Reyes	31869	955373	075 PCT
2. POM James Argila	15383	946752	075 PCT

Officer(s)	Allegation	Investigator Recommendation
A.SGT Adnan Radoncic	Abuse: Sergeant Adnan Radoncic refused to provide his name to § 87(2)(b) [REDACTED]	[REDACTED]
B.SGT Adnan Radoncic	Abuse: Sergeant Adnan Radoncic threatened to issue summonses to § 87(2)(b) [REDACTED]	[REDACTED]

Case Summary

On January 7, 2019, § 87(2)(b) contacted the CCRB by phone and filed this complaint. On January 7, 2019, § 87(2)(b) also filed a duplicate of this complaint with the NYPD-OIG via on-line.

On January 5, 2019, at approximately 10:10 p.m., § 87(2)(b) was pulled over by PO Joseph Reyes, PO James Argila, and Sgt. Adnan Radoncic, all of the 75th Precinct, in the vicinity of § 87(2)(b) in Brooklyn. § 87(2)(b) requested to speak to a supervisor and Sgt. Radoncic approached her car. § 87(2)(b) asked Sgt. Radoncic for his name, and he ignored § 87(2)(b)'s request (**Abuse of Authority: Allegation A**, § 87(2)(g)). He then asked § 87(2)(b) for her driver's license and registration, which she provided to him. Sgt. Radoncic took the documents and said to § 87(2)(b) "You know, I am going to issue you a bunch of summonses" (**Abuse of Authority: Allegation B**, § 87(2)(g)).

As a result of this incident, § 87(2)(b) was not arrested, but issued a summons for failure to signal (BR 02).

The investigation was provided with nine BWC recordings of this incident. Full BWC recordings are located in and can be viewed from Investigative Actions #29-37.

Findings and Recommendations

Allegation (A) Abuse of Authority: Sergeant Adnan Radoncic refused to provide his name to § 87(2)(b)

Allegation (B) Abuse of Authority: Sergeant Adnan Radoncic threatened to issue summonses to § 87(2)(b)

It undisputed that § 87(2)(b) asked Sgt. Radoncic for his name, and that he told § 87(2)(b) that she would be issued a "bunch" of summonses. The circumstances surrounding the threat of summonses is in dispute.

§ 87(2)(b) (BR 01) stated that on January 5, 2019, at 10:10 p.m., she was driving her vehicle and she turned on to Albany Avenue and to look for parking in the vicinity of her house at § 87(2)(b). § 87(2)(b) denied failing to signal or committing any other traffic infraction while driving home or while looking for parking. § 87(2)(b) began to park her vehicle when PO Argila approached the front driver's side and PO Reyes approached the front passenger side. PO Argila asked § 87(2)(b) for her driver's license and registration. § 87(2)(b) did not provide her documents and asked why she had been pulled over. PO Argila did not respond. § 87(2)(b) asked PO Argila for his name and shield number, and requested to speak with a supervisor. Sgt. Radoncic approached and said, "I am a sergeant." § 87(2)(b) asked Sgt. Radoncic for his name. Sgt. Radoncic ignored § 87(2)(b)'s request and instead asked § 87(2)(b) for her driver's license and registration card. § 87(2)(b) provided her driver's license and said that she only had a photograph of the registration in her cell phone. Sgt. Radoncic took the driver's license, said to § 87(2)(b) "You know, I am going to issue you a bunch of summonses," and then walked away. PO Argila and PO Reyes followed Sgt. Radoncic.

Approximately 30 or 45 minutes later, Sgt. Radoncic returned and handed § 87(2)(b) a summons for failure to signal (BR 02) along with a business card (BR 03) with PO Argila's and PO Reyes' information written on it. The officers then left.

Sgt. Radoncic's BWC recording (BR 04) begins with Sgt. Radoncic, PO Argila, and PO Reyes approaching § 87(2)(b)'s vehicle. PO Argila asks § 87(2)(b) for her driver's license and registration. § 87(2)(b) asks PO Argila to explain the "probable cause" for stopping her. PO Argila again asks § 87(2)(b) to provide her documents. At the 1:52 minute mark, § 87(2)(b)

asks to speak to a supervisor, and Sgt. Radoncic intervenes. He introduces himself to § 87(2)(b) by saying, “I am Sergeant Radoncic.” § 87(2)(b) asks Sgt. Radoncic why she was pulled over. Sgt. Radoncic informs § 87(2)(b) that she committed VTL infractions. At the 2:23 minute mark, PO Argila intervenes and says to § 87(2)(b) “You failed to signal when you turned to New Lots, and you did not come to a complete stop at two stop signs on Newport.” § 87(2)(b) denies not stopping. At the 2:42 minute mark, Sgt. Radoncic says to § 87(2)(b) “Hey, listen, you can dispute this and we can write a bunch of summonses that you can dispute in court. Would you choose that?” § 87(2)(b) does not respond. PO Argila repeats to § 87(2)(b) the VTL violations she committed, wishes her a good night, and then walks away. The video ends.

Sgt. Radoncic’s second BWC recording (BR 05) begins with him saying at the 00:04 minute mark, “I want the summonses done,” and asks § 87(2)(b) for her driver’s license and registration. At the 00:15 minute mark, § 87(2)(b) provides her documents to Sgt. Radoncic and says, “And, I would like your name and number.” Sgt. Radoncic replies to § 87(2)(b) “Sergeant Radoncic, 1316,” and, “I will give you my contact and everything.” He returns to his vehicle and turns off his BWC.

At the 15:25 minute mark of PO Argila’s BWC recording (BR 06), Sgt. Radoncic returns to § 87(2)(b)’s vehicle. At the 15:28 minute mark, the video captures Sgt. Radoncic holding a business card in his right hand. At the 15:44 minute mark, Sgt. Radoncic provides the card to § 87(2)(b) and says, “Ma’am, this is who I am. I am Sergeant Radoncic, 1316.”

§ 87(2)(g)
§ 87(2)(b) Sgt. Radoncic stated that the officers observed § 87(2)(b) not stop at a stop sign. PO Argila made a U-turn to follow § 87(2)(b). The officers then observed § 87(2)(b) not stop at another stop sign in the vicinity of Williams Street and Newport Street. She then made a sharp turn without signaling at the corner of Alabama Avenue and New Lots Avenue. PO Argila signaled a car stop with emergency lights and siren, and pulled § 87(2)(b) over.

PO Argila asked § 87(2)(b) for her documents, and informed her of the infractions. § 87(2)(b) did not provide the documents and asked to speak to a supervisor. Sgt. Radoncic approached and identified himself as “Sergeant Radoncic, 1316.” He asked § 87(2)(b) to provide her documents, and informed her that she was pulled over for committing several traffic infractions. § 87(2)(b) denied committing any infractions. Sgt. Radoncic did not recall saying to § 87(2)(b) “You know, I am going to issue you a bunch of summonses.” However, Sgt. Radoncic acknowledged saying to § 87(2)(b) something to the effect of, “We could issue you a bunch of summonses for the infractions.” This statement was not a threat and was meant to inform § 87(2)(b) of the infractions she had committed that could have resulted in multiple summonses. Sgt. Radoncic explained that he was not going to issue five summonses to § 87(2)(b) and that to correct the condition, he would just write one. Sgt. Radoncic also instructed § 87(2)(b) to drive carefully.

PO Reyes’ and PO Argila’s memo books (BR 08 and BR 09) document that § 87(2)(b) “failed to stop and failed to signal.”

Under the NYPD Patrol Guide Procedure 203-09, officers must courteously and clearly state their names and shield numbers, or otherwise provide them, to anyone who requests them to do so (BR 10). Under NY CLS Veh & Tr § 1172 (BR 11), except when directed to proceed by a police officer, every driver of a vehicle approaching a stop sign shall stop at a clearly marked stop line, but if none, then shall stop before entering the crosswalk on the near side of the intersection. No person shall so turn any vehicle without giving an appropriate signal. NY CLS

Veh & Tr § 1163 (BR 12) According to the NYPD Patrol Guide Procedure 209-01 (BR 13), officers are authorized to issue a summons for a specific conduct that is deemed a misdemeanor or violation.

§ 87(2)(g)

§ 87(2)(g)

Civilian and Officer CCRB Histories

- § 87(2)(b) has been a party to one CCRB complaint and has been named a victim in one allegation (BR 14):
 - § 87(2)(b)
- Sgt. Adnan Radoncic has been a member of service for 16 years and has been a subject in 18 CCRB complaints and 54 allegations, of which four were substantiated:
 - 201405057 involved allegations of vehicle search and refusal to provide name and shield number. The Board recommended Command Discipline – B, which were imposed by the NYPD.
 - 201608467 involved allegations frisk and stop of a person, and other misconduct (failure to prepare a memo book entry). The Board recommended Command Discipline – A, which was imposed by the NYPD.
 - 201808991 involves allegations of § 87(2)(g) stop of a person, refusal to provide shield number, and failure to provide RTKA card. The case is still pending investigation.

○ § 87(2)(b)

○ § 87(2)(b)

Mediation, Civil and Criminal Histories

- On January 30, 2019, this case was sent to mediation. On April 22, 2019, the case was returned for investigation as the complaint was no longer eligible for mediation.
- A FOIL request was sent to the NYC Comptroller on May 6, 2019, for any Notice of Claim filed in regard to this incident. The results of the request will be added to the case file upon receipt.

- According to the Office of Court Administration (OCA), § 87(2)(b) has no history of convictions in New York City (BR 15).

Squad No.: 4

Investigator: _____ _____ _____
 Signature Print Title & Name Date

Squad Leader: _____ _____ _____
 Signature Print Title & Name Date

Reviewer: _____ _____ _____
 Signature Print Title & Name Date